

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, )

Plaintiff, )

v. )

DAVID LANCE SOMERVILLE, )

Defendant. )

CASE NO. 05-296-RSL

DETENTION ORDER

Offenses charged:

Count One: ILLEGAL REENTRY AFTER DEPORTATION - Title 8, U.S.C., Section  
1326 (a).

Date of Detention Hearing: August 3, 2005.

The Court, having conducted an uncontested detention hearing pursuant to 18  
U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for  
detention hereafter set forth, finds that no condition or combination of conditions which  
the defendant can meet will reasonably assure the appearance of the defendant as required  
and the safety of any other person and the community. The defendant was represented by  
Nancy Tenney. The Government was represented by Don Reno.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- (1) The defendant represents a risk of nonappearance due to the following:  
he is a native and citizen of Canada; BICE has filed a detainer.
- (2) The defendant represents a risk of danger due to a criminal history that includes assault in the 3<sup>rd</sup> degree and unlawful entry.
- (3) The defendant does not contest detention.

**It is therefore ORDERED:**

- (1) The Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
- (2) The Defendant shall be afforded reasonable opportunity for private consultation with counsel;
- (3) On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which the Defendant is confined shall deliver the Defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and
- (4) The clerk shall direct copies of this order to counsel for the United States, to counsel for the Defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 4<sup>th</sup> day of August, 2005.

s/ Monica J. Benton  
MONICA J. BENTON  
United States Magistrate Judge